



# Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
www.raleighnc.gov

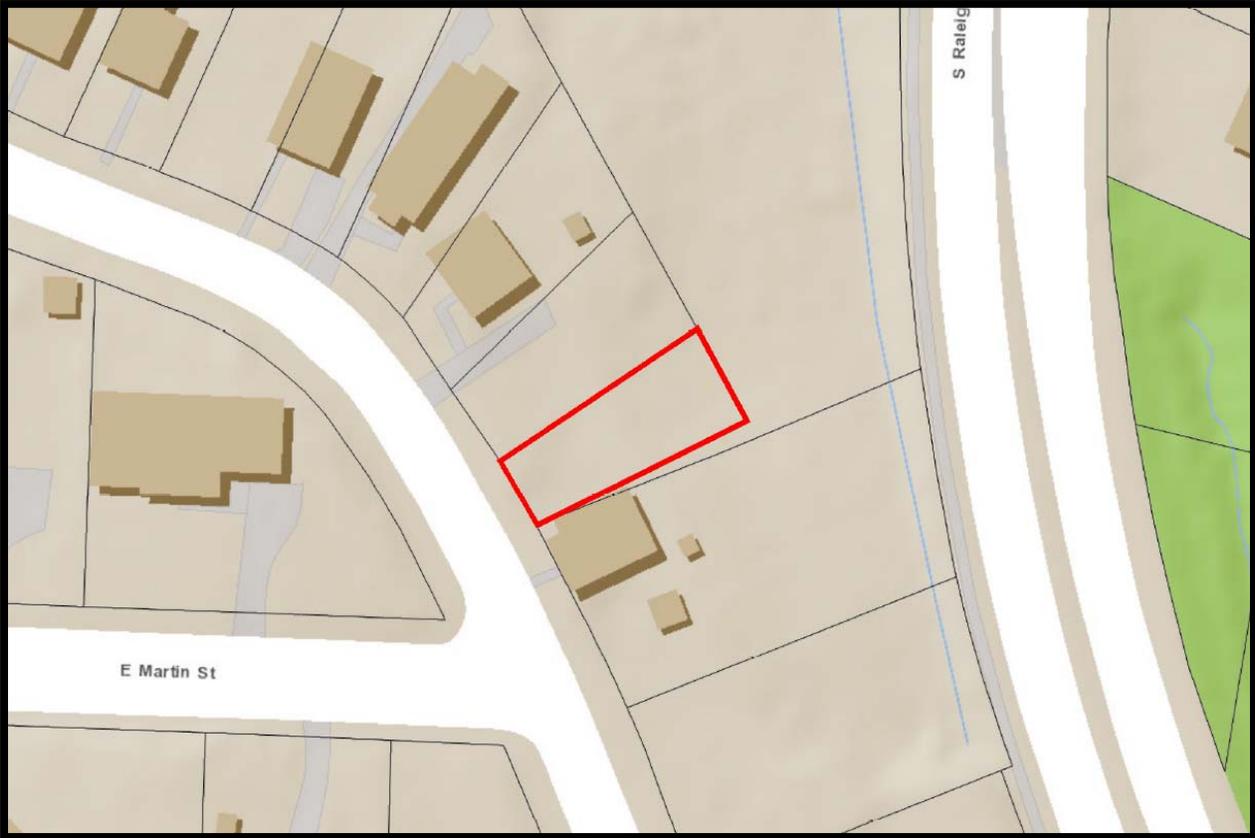
**Case File:** A-69-17

**Property Address:** 0 Battery Drive (Real Estate ID 0036257)

**Property Owner:** CJ Properties and Investments

**Project Contact:** Tony Patterson

**Nature of Case:** A request for a. a 4.8' side setback variance , a 2.4' side setback variance, a 7.2' sum of side setbacks variance, and a 2.7' rear setback variance to allow for the construction of a detached house as well as a 4.1' rear setback encroachment variance pursuant to section 1.5.4.D. that results in both a 5.2' and 7.6' side yard setback, a 12.8 sum of side setbacks, a 27.3' rear setback and a 17.9' rear setback for the proposed deck on a .08 acre parcel zoned Residential-4 and located at 0 Battery Drive (Real Estate ID: 0036257).



**0 Battery Drive (Real Estate ID 0036257) – Location Map**

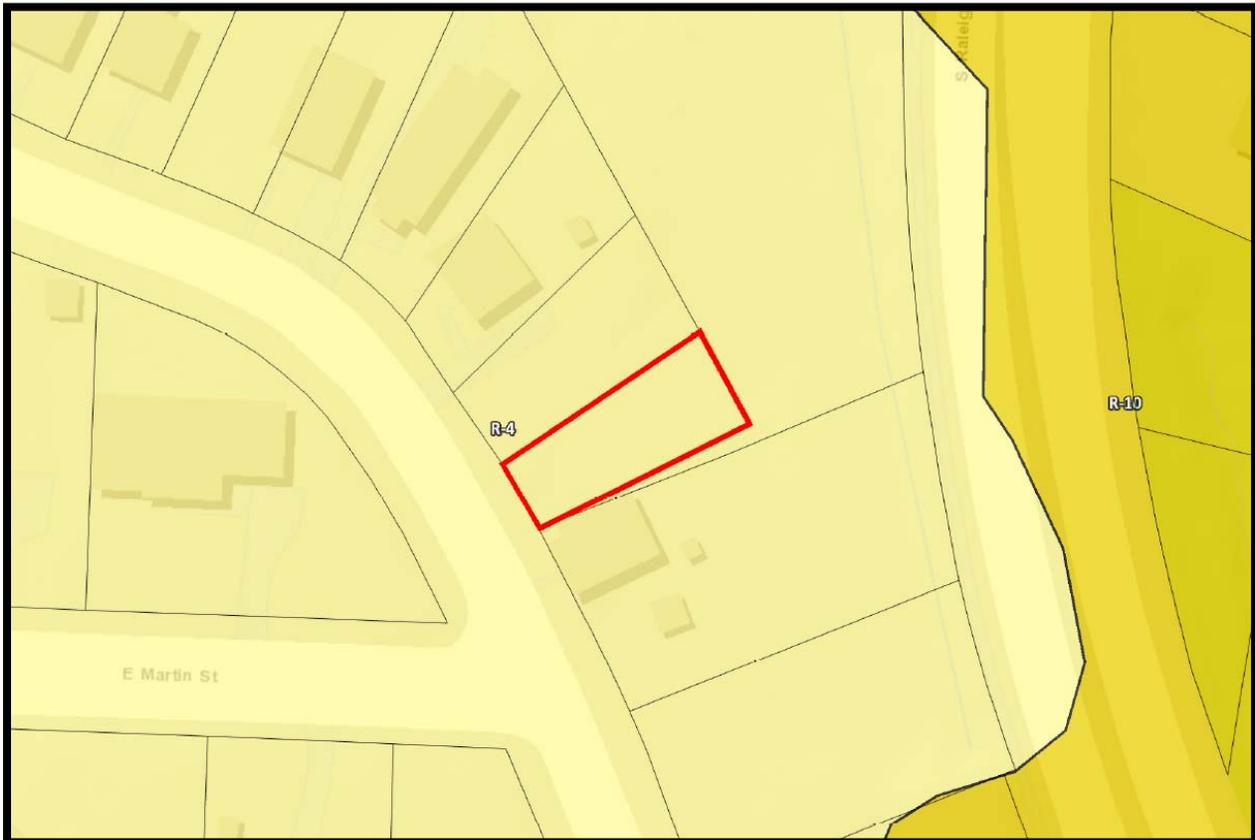
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To BOA: 5-8-17

Staff Coordinator: Eric S. Hodge, AICP

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**ZONING  
DISTRICTS:** Residential-4



**0 Battery Drive (Real Estate ID 0036257) – Zoning Map**

**VARIANCE STANDARDS:** In accordance with UDO §10.2.10 Variance, before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from

personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

- 3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- 4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

**Zoning District Standards:** The subject property is zoned Residential-4

**Lot Dimensions**

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Area (min)	10,000 SF
Width – interior lot (min)	65
Width – corner lot (min)	80'
Depth -	100;'

<b><u>Yard Type</u></b>	<b><u>Minimum Setback</u></b>
Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'

**Section 1.5.4.D.1.i. Setback Encroachments – Building Features**

Unenclosed patios, decks or terraces may extend up to 4 feet into a required side setback, or up to 8 feet into a required rear setback, provided that such extension is at least 5 feet from the vertical plane of any lot line.



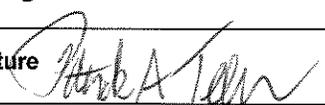
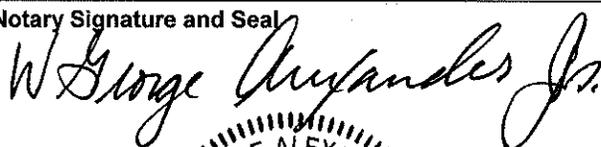
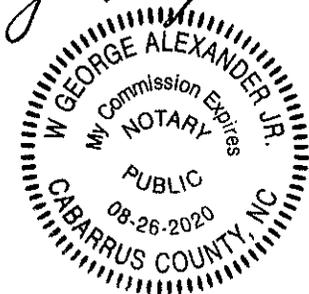
# Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
<p>Nature of variance request (if more space is needed, submit addendum on separate sheet); SEE ATTACHED ADDENDUM. Request a variance of 4.8' for required side setback, for the setback to be allowable to be 5.2' from property line on the SW property line (or right side property line). Request a variance of 2.4' for required side setback, for the setback to be allowable to be 7.6' from the NE property line (or left side property line). Request a variance of 2.7' for the required rear</p>	<p>Transaction Number</p> <p style="font-size: 2em;">A-69-17</p>
<p>Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.</p> <p>none</p>	

GENERAL INFORMATION		
Property Address 0 Battery Drive (Real Estate ID: 0036257) LOT 281	Date 3/6/2017	
Property PIN 1713472771	Current Zoning R-4	
Nearest Intersection Battery Drive and E Martin Street	Property size (in acres) 0.08	
Property Owner CJ PROPERTIES AND INVESTMENTS	Phone 919-740-8722	Fax none
Owner's Mailing Address 208 W Millbrook Road, Raleigh,	Email patrick@cjpropertiesnc.com	
Project Contact Person Tony Patterson	Phone 919-842-8191	Fax 919-882-0919
Contact Person's Mailing Address 1502 Goldsboro Ave, Sar	Email tony@pattersonbuilt.com	
Property Owner Signature 	Email patrick@cjpropertiesnc.com	
<p>Notary</p> <p>Sworn and subscribed before me this <u>7<sup>th</sup></u> day of <u>April</u>, 20 <u>17</u></p> <p>Expires 8-26-2020</p>	<p>Notary Signature and Seal</p> <p></p> <p></p>	



**CJ** Properties & Investments  
Real Estate Development Company

April 7, 2017

Subject: Addendum for Variance Application Nature of Request

Property: 0 Battery Drive (Real Estate ID: 036257) LOT 281  
Property PIN: 1713472771

Nature Of Variance Request:

Request a Variance of 4.8' for required side setback, for the setback to be allowable to be 5.2' from property line on the SW property line (or right side property line). Request a variance of 2.4' for required side setback, for the setback to be allowable to be 7.6' from the NE property line (or left side property line). Request a variance of 2.7' for the required rear setback, for the setback to be allowable to be 27.3' from the SE property line (or rear property line), as well as a variance of 4.1' for allowable deck encroachment to rear property line to allow the deck encroachment allowable to be extended 12.1' past required rear setback per R-4 in lieu of extended 8' past required rear setback. The deck would be 17.6' from rear property line. In lieu of an encroachment variance, a request for variance of 12.4' for the required rear setback, for the setback to be allowable to be 17.6' from the SE property line (or rear property line) would satisfy the condition needed to allow the deck to be constructed per the plans.

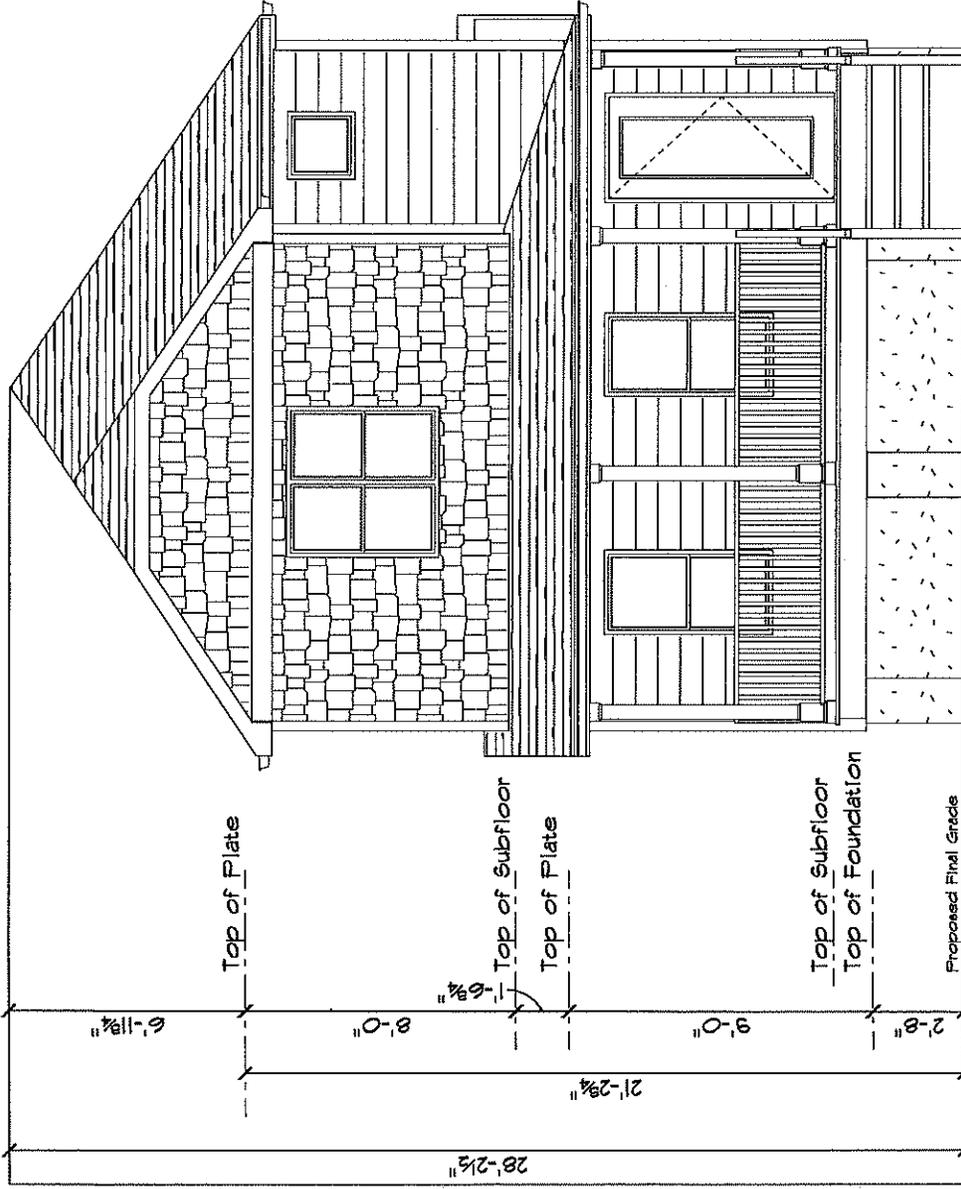
Thank you for your consideration on this variance request.

Sincerely,

Patrick Teen- Owner  
CJ Properties and Investments LLC.  
919-740-8722  
[Patrick@cjpropertiesnc.com](mailto:Patrick@cjpropertiesnc.com)

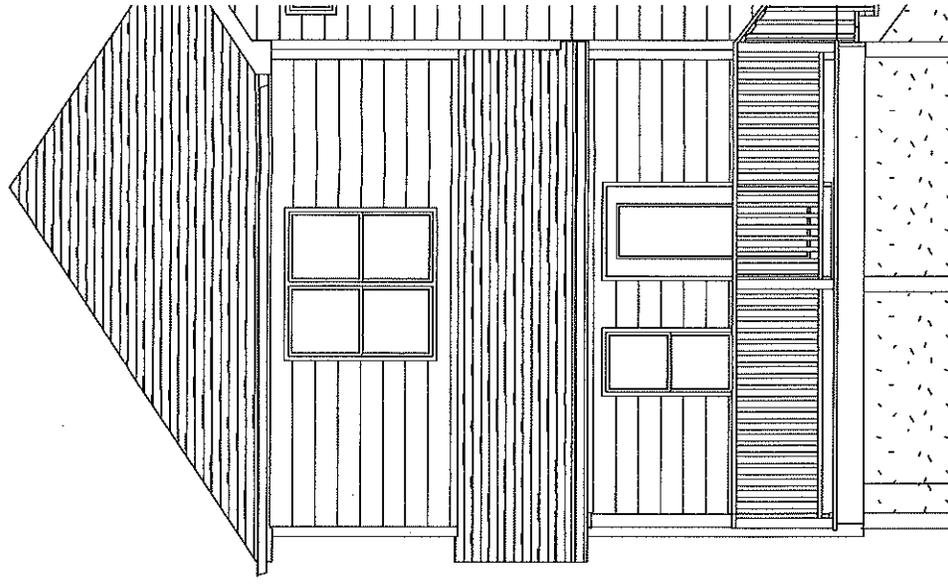
(SEAL)	State of <u>North Carolina</u> County of <u>Wake</u>	(Affix Official/Notarial Seal) 
By: <u>PATRICK A. TEEN</u> Printed or Typed Name/Title: <u>OWNER</u>	Signed and sworn to (or affirmed) before me this day by <u>Patrick Albert Teen</u> <small>(Insert name(s) of principal(s)).</small>	
By: _____ Printed or Typed Name/Title: _____	Date: <u>4-7-2017</u> <u>W. George Alexander Jr.</u> Notary Public My Commission Expires: <u>8-26-2020</u>	





# Bailey Front Elevation

SCALE: 3/16" = 1'-0"



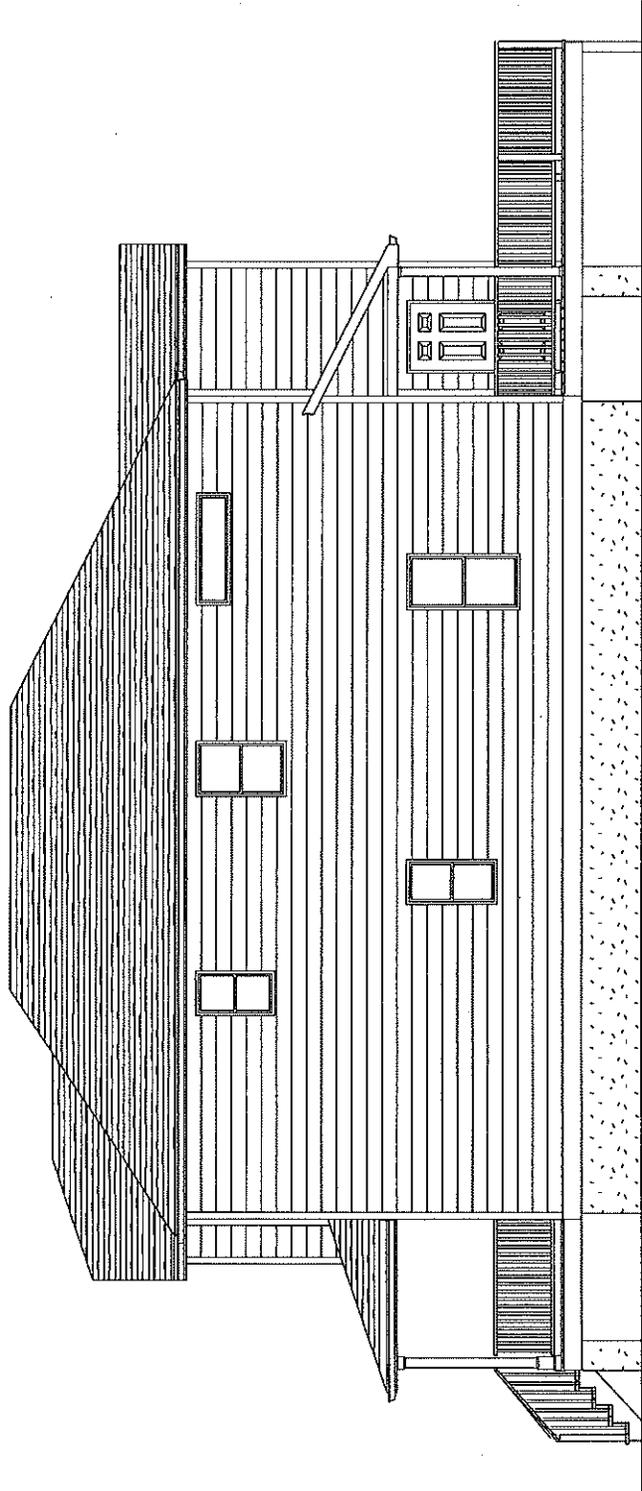
# Bailey Rear Elevation

SCALE: 3/16" = 1'-0"

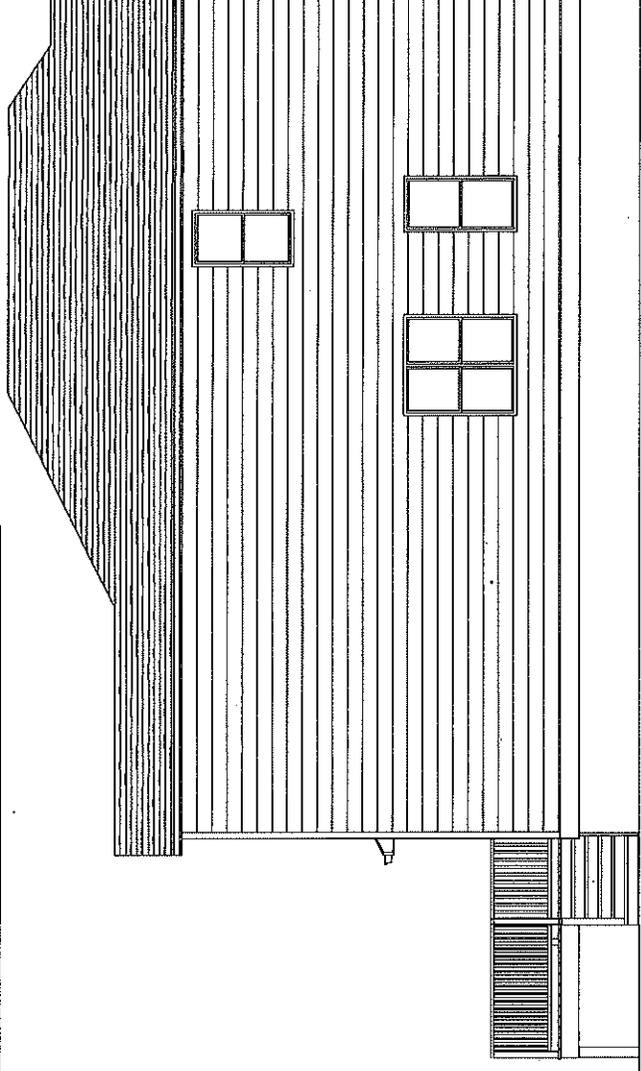
Lot 281 Robert E. Monroe Trustee Prc  
 Recorded Site Address: O Battery D  
 Proposed Site Address: TBD  
 P.I.N.: 1713472711  
 Real Estate ID: 0036257

Lot 281 Robert E. Monroe Trus  
Recorded Site Address: O B:  
Proposed Site Address: TBD  
P.I.N.: 111341211  
Real Estate ID: 0036257

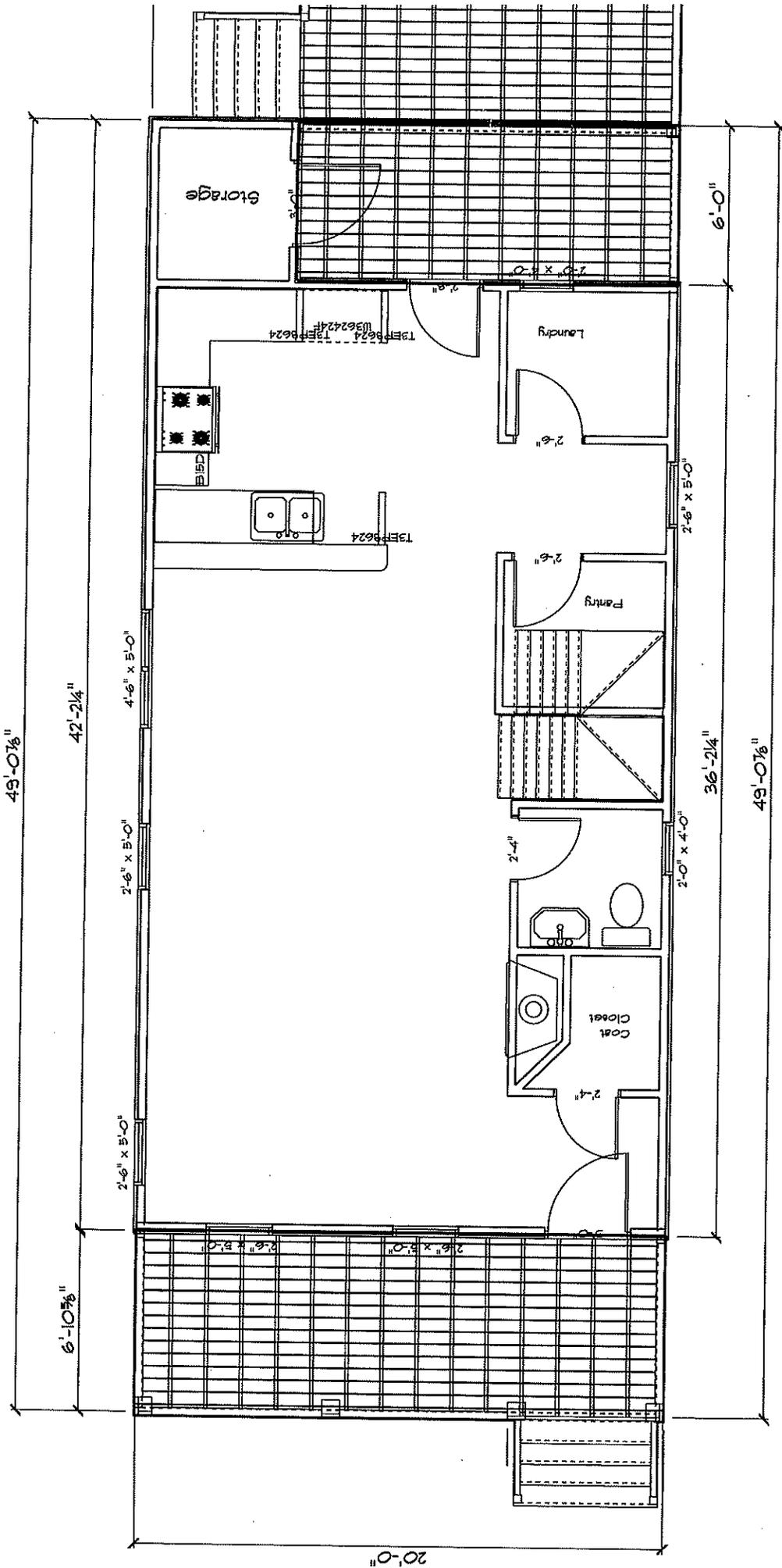
**LOT DATA**  
SCALE: 1/4" = 1'-0"



**Bailey Right Elevation**  
SCALE: 1/8" = 1'-0"

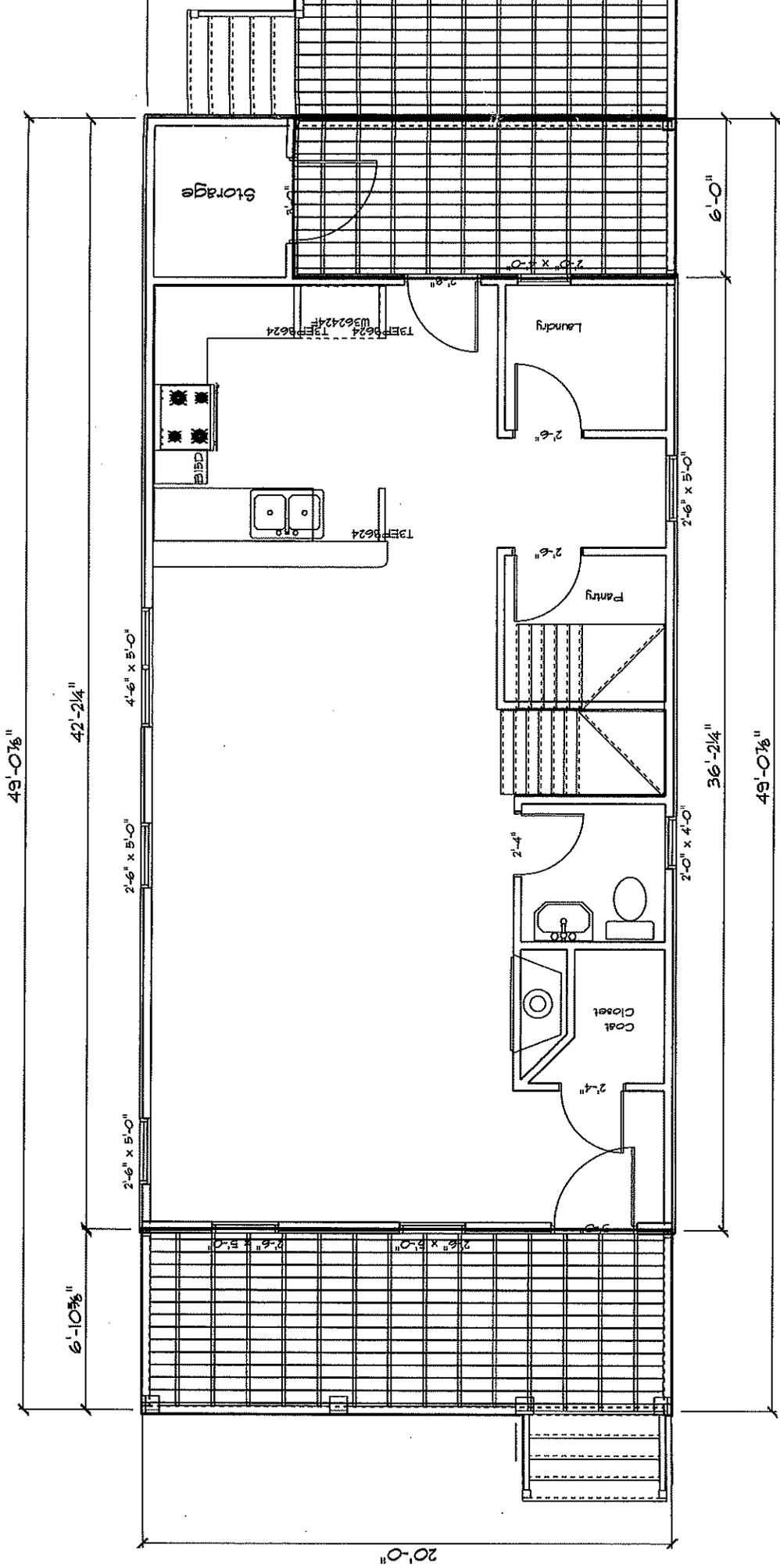


**Bailey Left Elevation**  
SCALE: 1/8" = 1'-0"



Lot 281 Robert E. Monroe Trustee Pro  
 Recorded Site Address: O Battery D  
 Proposed Site Address: TBD  
 P.I.N.: 171347211  
 Real Estate ID: 0036257

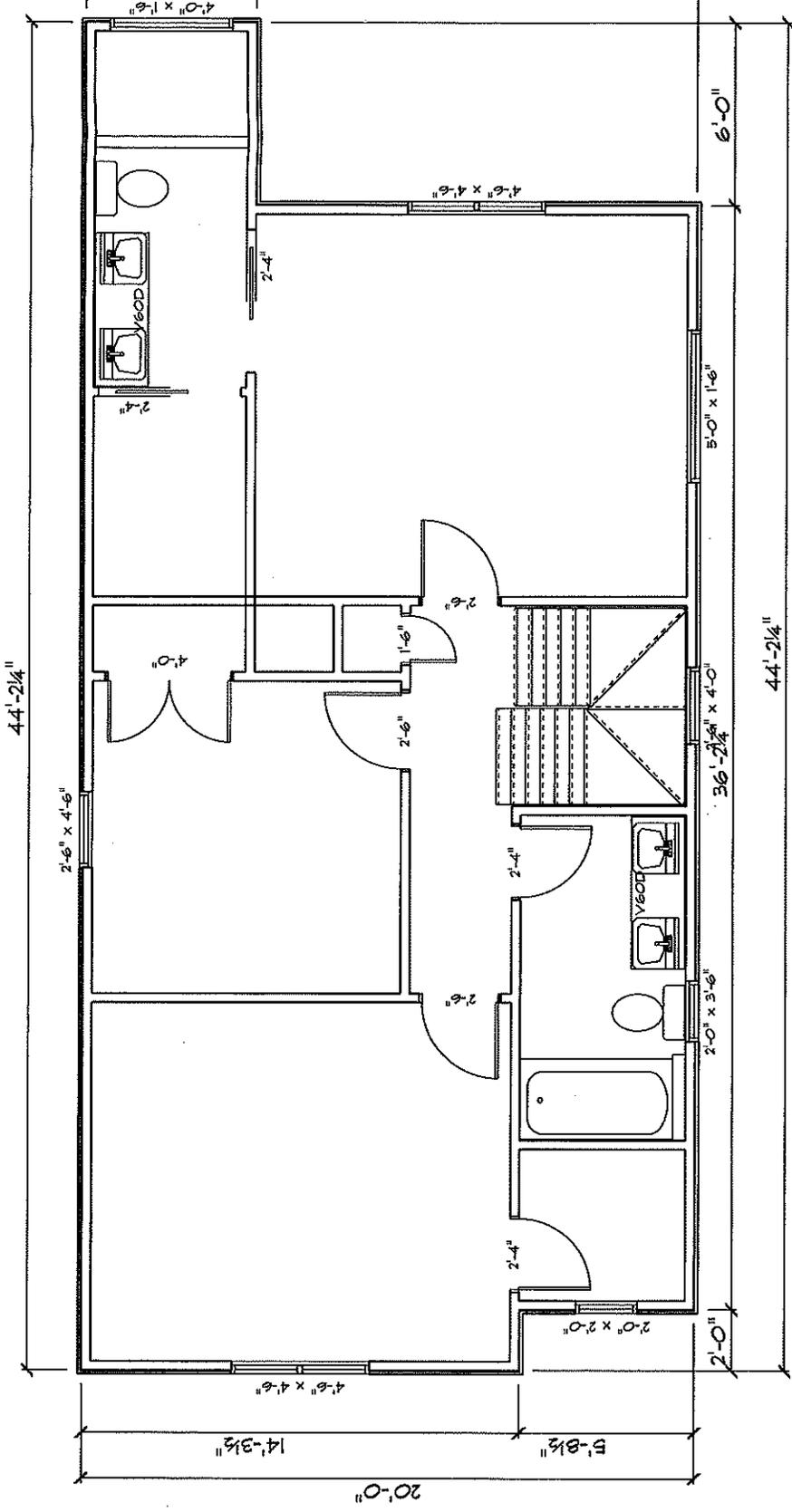
**Bailey Floor 1**  
 SCALE: 3/16" = 1'-0"



# Bailey Floor 1

SCALE: 3/16" = 1'-0"

Lot 281 Robert E. Monroe Trustee Pro  
 Recorded Site Address: O Battery D  
 Proposed Site Address: TBD  
 P.I.N.: 1713472771  
 Real Estate ID: 0036257



# Bailey Floor 2

SCALE: 3/16" = 1'-0"

Lot 281 Robert E. Monroe Trustee P  
 Recorded Site Address: O Battery  
 Proposed Site Address: TBD  
 P.L.N.: 171347271  
 Real Estate ID: 0036251



[Home](#)

## Wake County Real Estate Data Account Summary

[iMaps](#)  
[Tax Bills](#)

Real Estate ID **0036257**

PIN # **1713472771**

Location Address  
**0 BATTERY DR**

Property Description  
**LO281 ROBERT E. MONROE TRUSTEE  
PROPERTY/UNRECORDED SURVY**

Account  
Search

[Pin/Parcel History](#) | [Search Results](#) | [New Search](#)



NORTH CAROLINA | [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

<b>Property Owner</b> <b>CJ PROPERTIES &amp; INVESTMENTS LLC</b> (Use the Deeds link to view any additional owners)	<b>Owner's Mailing Address</b> <b>208 W MILLBROOK RD</b> <b>RALEIGH NC 27609-4304</b>	<b>Property Location Address</b> <b>0 BATTERY DR</b> <b>RALEIGH NC 27610-2625</b>
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Administrative Data	Transfer Information	Assessed Value
Old Map # <b>B004--</b> Map/Scale <b>1713 06</b> VCS <b>01RA568</b> City <b>RALEIGH</b> Fire District Township <b>RALEIGH</b> Land Class <b>VACANT</b> ETJ <b>RA</b> Spec Dist(s) Zoning <b>R-4</b> History ID 1 History ID 2 Acreage <b>.08</b> Permit Date Permit #	Deed Date <b>3/28/2017</b> Book & Page <b>16734 0811</b> Revenue Stamps <b>200.00</b> Pkg Sale Date Pkg Sale Price Land Sale Date <b>3/28/2017</b> Land Sale Price <b>\$50,000</b> <b>Improvement Summary</b> Total Units <b>0</b> Recycle Units <b>0</b> Apt/SC Sqft Heated Area	Land Value Assessed <b>\$30,000</b> Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* <b>\$30,000</b>

\*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

**For questions regarding the information displayed on this site, please contact the Revenue Department at [RevHelp@wakegov.com](mailto:RevHelp@wakegov.com) or call 919-856-5400.**

**0 BATTERY DRIVE- RALEIGH, NC****Real Estate ID: 0036257****PIN#: 1713472771****ADJACENT PROPERTY INFORMATION (WITHIN 100' OF PROPERTY)**

PROPERTY ADDRESS	OWNER NAME	OWNER'S MAILING ADDRESS
1605 MILLER ST	MCMILLAN, MINNIE M	Minnie McMillan 1605 Miller Street, Raleigh, NC 27610-3346
1617 E MARTIN ST	SHEPHERD, DAVID SHEPHERD, LAURA	David and Laura Shepherd 1617 E Martin Street, Raleigh, NC 27610-2615
1533 BATTERY DR	COLEMAN, DANICA PEELE, MARY MARTIN	COLEMAN, DANICA PEELE, MARY MARTIN 1533 ½ Battery Drive Raleigh, NC 27610-2625
1609 MILLER ST	TALIAFERRO, VERNON RAY	Vernon Taliaferro 1609 Miller Street, Raleigh, NC 27610-3346
1537 BATTERY DR	WINBORNE, IAN C	Ian Winborne PO Box 1450 Oxford, NC 27565-1450
0 BATTERY DR	CJ PROPERTIES & INVESTMENTS LLC	CJ Properties and Investments LLC. 208 W Millbrook Rd, Raleigh, NC 27609-4304
0 BATTERY DR	CJ PROPERTIES & INVESTMENTS LLC	CJ Properties and Investments LLC. 208 W Millbrook Rd, Raleigh, NC 27609-4304
1535 BATTERY DR	MCGEE, BRANDON B MCGEE, ELIZABETH H	Brandon and Elizabeth McGee 2631 Saint Mary's Street Raleigh, NC 27609-7670
1543 BATTERY DR	REDFEARN, SANDRA	Sandra Redfearn- Joanne R Davis 2321 Foxtrot Road, Raleigh, NC 27610-5047
1541 BATTERY DR	LASSITER, LEROY HEIRS LASSITER, COLUMBUS HEIRS	Leroy Lassiter Heirs, Columbus Lassiter Heirs- John Redfearn 612 E Edenton Street, Raleigh, NC 27601-1130